



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

- CODE NAPOLEON, HOW IT WAS MADE AND ITS PLACE IN THE WORLD'S JURISPRUDENCE. *U. M. Rose*. 40 Am. L. Rev. 833.
- CONSTITUTIONALITY OF THE JUVENILE COURT LAWS OF ILLINOIS. *Anon.* Discussing adversely a decision that commitment under the laws violates the father's constitutional right to the child's services. 133 Nat. Corp. Rep. 468. See 19 HARV. L. REV. 374.
- CONTRACTS OF INDEMNITY. *T. F. Martin*. Discussing under the English decisions their effect in the covenants given by purchasers of leaseholds or of lands subject to restrictive covenants. 4 Commonwealth L. Rev. 13.
- DOCTRINE OF BOSTON ICE COMPANY *v.* POTTER, THE. *George P. Costigan, Jr.* 7 Colum. L. Rev. 32. See *supra*.
- EVOLUTION OF THE LAW BY JUDICIAL DECISION. II. *Robert G. Street*. 14 Am. Lawyer 554.
- INTERNATIONAL COLLECTIONS. *W. L. Penfield*. 39 Chi. Leg. News 165.
- INTERNATIONAL CONFERENCE AT RIO DE JANEIRO. *Hannis Taylor*. Discussing particularly the making of treaties which shall force submission to arbitration for all claims of a pecuniary nature held by people of one nation against another. 40 Am. L. Rev. 896.
- MEDIAEVAL CAUSE CELEBRE, A. *John M. Zane*. A detailed description of a thirteenth century trial at Westminster based on Bracton's Note Book, the case involving the mediæval notion of adoptions, and the legal fiction by which the judges permitted it. 1 Ill. L. Rev. 363.
- MODERN CONCEPTION OF ANIMUS, THE. *Brooks Adams*. 19 Green Bag 12. See *supra*.
- NON-FEDERAL LAW ADMINISTERED IN FEDERAL COURTS, THE. *Wm. Trickett*. 40 Am. L. Rev. 819. See 18 HARV. L. REV. 134.
- POWER OF MUNICIPAL CORPORATIONS TO MAKE SPECIAL ASSESSMENTS FOR LOCAL IMPROVEMENTS, THE. *Edson B. Valentine*. 68 Alb. L. J. 325.
- PRIORITIES OF DEBENTURES AND GARNISHED DEBTS, THE. *Anon.* 51 Sol. J. 110.
- PRIVILEGE OF SILENCE AND IMMUNITY STATUTES, THE. *Franklin A. Beecher*. 40 Am. L. Rev. 869, 64 Cent. L. J. 3. See 20 HARV. L. REV. 61.
- QUESTIONS IN THE LAW OF FRAUDULENT ALIENATIONS, SOME. *Anon.* Tracing through the English cases the change in legal meaning undergone by the words "intent to delay, hinder or defraud," and the substitution of external tests of fraud for internal. 16 Madras L. J. 383.
- REFORMS IN THE LAW OF FUTURE INTERESTS NEEDED IN ILLINOIS. II. *Albert Martin Kales*. 1 Ill. L. Rev. 374.
- RESCISION OF EXECUTED CONTRACTS OF SALE FOR BREACH OF WARRANTY. *George A. Lee*. 10 L. N. (Northport) 188. See 16 HARV. L. REV. 465.
- SEGREGATION OF JAPANESE STUDENTS BY THE SCHOOL AUTHORITIES OF SAN FRANCISCO. *Charles Cheney Hyde*. Discussing the question from a legal and from a political viewpoint. 19 Green Bag 38. See 20 HARV. L. REV. 337.
- SUGGESTIONS CONCERNING THE LAW OF FIXTURES, SOME. *Joseph W. Bingham*. Attempting to lay down the principles underlying the law of fixtures, and to demonstrate that they form a consistent and easily comprehensible body of rules. 7 Colum. L. Rev. 1.
- TITLES TO COAL LAND IN PENNSYLVANIA AND INCIDENTAL MONOPOLIES CONNECTED THEREWITH. *Alfred Hand*. Maintaining that the way to prevent injustice arising from such monopoly is through the exercise of the power vested in the government to control railway rates. 16 Yale L. J. 167.
- UNSOOUNDNESS OF MIND IN RELATION TO TORTS. *H. Dean Bamford*. Contending, contrary to American decisions, that total insanity should excuse a defendant from liability for his torts. 4 Commonwealth L. Rev. 3.

II. BOOK REVIEWS.

COURTS AND PROCEDURE IN ENGLAND AND IN NEW JERSEY. By Charles H. Hartshorne. Newark, N. J.: Toney & Sage. 1905. pp. xi, 233. 12mo.

The articles contained in this book were published in the *New Jersey Law Journal* during the discussion of proposed amendments to the constitution making a slight change in the judicial system of the state. Mr. Hartshorne's

object was to defeat the proposed plan with the purpose of bringing about a much more radical change, and most of these articles were published for the purpose of showing that the existing system was antiquated, intricate, and inefficient, and also that there were in other states and in England systems that were more simple, more direct, and better adapted to the administration of justice under modern conditions. It is the plans adopted in England, Massachusetts, and Connecticut that are chiefly used as examples for the reform which he insisted should be made in New Jersey.

The courts of New Jersey retain the names and the functions of the old English courts from which they were derived. Equity jurisdiction remains in the Court of Chancery, and common law rights are enforced by several different courts of law. Mr. Hartshorne insists upon the unification of the courts and on doing away with the exclusive division of jurisdiction between district courts, and gives many illustrations from New Jersey cases of delay and failure of justice because a suit begun in one court should have been brought in another or could not be fully determined without resort to another. He makes a tabular comparison of several different judicial systems and gives a clear account of the English courts and their procedure.

To lawyers of New Jersey, familiar with the practical working of their systems, the difficulties stated so earnestly by Mr. Hartshorne appear to be overestimated and his objections theoretical rather than practical. If there are many courts with many ancient names, it is only because the judges in exercising various kinds of jurisdiction are called by the names of the old English courts by which these different jurisdictions were exercised. The bar of New Jersey is not unobservant of the changes that have been made in other states and in England in having one form of procedure and one court for law and equity, but the great majority of its members are firmly convinced by observation of other systems and experience with their own, that both law and equity, so long as the two systems exist with different principles and different remedies, are more safely and more exactly administered by different modes of procedure and by judges specially trained and experienced in the different systems. They do not think it prudent to give the great powers of the chancellor to every county judge. They think it best that counsel should understand the distinction between legal and equitable principles and remedies, and should be careful to know what his rights and remedies are before he brings his suit, and they believe that in practice there is little more delay because of going into the wrong court than because of mistakes in the choice of the remedy.

The proposed amendment to the constitution which Mr. Hartshorne criticised was defeated at the polls, and a new plan has now been suggested by a commission appointed by the governor. The new plan retains the systems of law and equity with separate modes of procedure and trial as heretofore, but it does unify the courts by making one supreme court with several divisions and it does make provision for the transfer of cases from one division to another. By this means it removes the defect in the present system which was the subject of Mr. Hartshorne's most vigorous criticism.

E. Q. K.

A MANUAL OF THE PRINCIPLES OF EQUITY. By John Indermaur. Sixth Edition. London: Geo. Barber. 1906. pp. xxxii, 597.

This manual is divided into three parts. The first tells about the origin of the Court of Chancery and its substitute effected by the Judicature Act of 1873. In an intervening chapter, twelve "maxims" of equity are stated and briefly illustrated. Part two deals with matters specially assigned by the Judicature Act to the Chancery Division of the High Court, and forms the bulk of the book. The third part devotes about one hundred and fifty pages to some doctrines which originated in equity and are still classed under its jurisdiction, though not covered specially by the statute of 1873. In an appendix, five important English statutes are printed. The book contains, further, a short preface by the editor of this edition, Charles Thwaites; a table of contents; an index of